

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LYON FINANCIAL SERVICES, INC.,
doing business as US Bancorp Manifest
Funding Services,

Plaintiff,

v.

RJAEI, INC., *doing business as* Dominos,
ROBERT STEPHENSON, and JOYCE
STEPHENSON,

Defendants.

Case No. 09-cv-441-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff's Stipulation of Dismissal without prejudice (Doc. 9). Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may voluntarily dismiss an action by filing a notice of dismissal before an opposing party serves either an answer or motion for summary judgment. Neither an answer nor a motion for summary judgment has been filed or served in the instant action. Accordingly, the Court finds that this action is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: September 14, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE